



South Atlantic Update

Published for fishermen & women and others interested in marine conservation

May, 1996

Council Delays Approving Snapper Grouper Amendments 8 and 9 for Public Hearing

Additional meetings scheduled to discuss issues

The Snapper Grouper Advisory Panel met jointly with the council's Snapper Grouper and Controlled Access Committees at the April meeting to discuss options to take to public hearing for Amendments 8 and 9. Due to the complexity of the issues, discussions were lengthy and there was not enough time to completely review the documents.

The council has scheduled an additional meeting of the advisory panel and committees May 20-22 in Charleston, SC, to allow the groups more time to review the documents and come to some consensus on which options to recommend to the council to take to public hearing.

With regard to the options paper for Amendment 9, most of the discussion centered around looking at various ways to limit the number of participants in the snapper grouper fishery. The council has imposed bag and minimum size limits to help conserve overfished species in the snapper grouper complex, but the size and capacity of fleets fishing for these species continue to be significantly higher than the stocks can sustain on a long-term basis.

Currently there are twelve options present in the options paper for limiting the number of participants. The advisory panel could not reach a consensus on the options provided in the document, because some members felt current options would eliminate active snapper grouper fishermen who have complied with reporting requirements. They also suggested the council's current preferred alternative, to limit entry based on the July 30, 1991 control date, would not be feasible because snapper grouper permits and logbook reports were not in place at that time, making it difficult to verify who would qualify.

The advisory panel submitted a proposal for an additional option to include in the document, which would limit entry to those who can demonstrate landings of snapper grouper species as of January 1, 1996. This option would also implement an effort limitation by establishing endorsements based on the level of participation. Though this option would cap the number of participants in the fishery, it may not reduce the initial number to any significant level.

Council staff has revised the Amendment 9 options paper to include the advisory panel option and to incorporate new data.

Continued on page 4

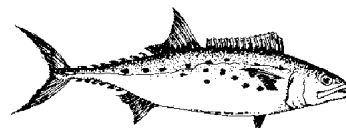
South Atlantic Council Approves Coastal Pelagics Amendment 8



The Council finalized Amendment 8 to the Coastal Migratory Pelagics Fishery Management Plan for submission to the Secretary, upon approval by the Gulf of Mexico Fishery Management Council.

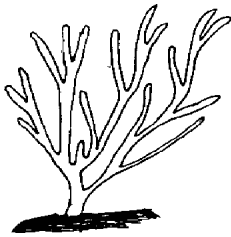
At a joint meeting in April, the South Atlantic and Gulf mackerel committees recommended changes to several options in Amendment 8 with regard to:

- (1) **overfishing definition;**
- (2) **moratorium on commercial king mackerel permits;**
- (3) **specification of allowable gear; and**
- (4) **qualifying income for king and Spanish mackerel permits.**

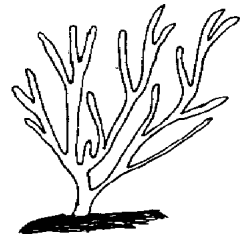


The Gulf Council will review these changes and take final action at their May meeting after public comment.

An overview of the changes is available from the South Atlantic Council office.



Council Seeking Applicants for Advisory Panels



The South Atlantic Council is in the process of updating our advisory panels. We are seeking applicants for the following panels:

- | | |
|--|-------------------|
| ⇒ Coral | ⇒ Red Drum |
| ⇒ Spiny Lobster | ⇒ Flounder |
| ⇒ Mackerel | ⇒ Law Enforcement |
| ⇒ Shrimp | ⇒ Snapper Grouper |
| ⇒ Habitat and Environmental Protection | |

With regard to Snapper Grouper, we are particularly interested in applicants from the South Florida area, as well as recreational and charterboat fishermen from North Carolina.

Recognizing the broad interests of various user groups and sectors in marine fisheries management, we are expanding our advisory panel expertise to incorporate conservation, habitat and environmental input. For now we are concentrating on the Coral, Shrimp, Rock Shrimp, and Snapper Grouper Advisory Panels. If you are interested in filling one of these positions, please call the council office at 803-571-4366 to request an application.

Council Welcomes New Advisory Panel Members

At its April meeting, the council appointed the following people to fill advisory panel vacancies:

- **Wreckfish** - Micah J. LaRoche III of Wadmalaw Island, South Carolina;
- **Snapper Grouper** - Anthony P. Morris of Hampstead, North Carolina;
- **Mackerel** - Ken M. Doss of Brunswick, Georgia;
- **Flounder** - Clarence W. Lee of Kill Devil Hills and William Henry Daniels of Belhaven, North Carolina;
- **Golden Crab** - Eddy Owl of Key West, Florida.

The council welcomes these new advisory panel members. We look forward to their input and expertise with management of these species. If you would like to serve on an advisory panel, call the council office to request an application.

***Editor's Note:** The South Atlantic Council and staff would like to extend our sympathies to the family, friends and colleagues of Captain Gary J. Drake of Morehead City, North Carolina for their loss. Captain Drake was a valuable member of our Snapper Grouper Advisory Panel, and had been active with the council for 18 years. His knowledge of fisheries and active participation in the management process will be missed by all.*

June Council Meeting Agenda

The next council meeting will take place from June 10 to June 14, 1996, at the Pier House, One Duval Street, Key West, Florida; telephone: (305) 296-4600; (800) 327-8340.

The following preliminary agenda is subject to change:

Monday, June 10	1:30-5:30	Scientific and Statistical Committee
Tuesday, June 11	8:30-12:00	Scientific and Statistical Committee (the mackerel assessment will be presented)
	1:30-5:30	Mackerel Advisory Panel
Wednesday, June 12	8:30-12:00	Joint Mackerel Advisory Panel and Committee
	1:30-5:30	Council Session - the council will review the mackerel framework actions and receive the Snapper Grouper and Controlled Access Committee reports
Thursday, June 13	8:30-12:00	Council Session - the council will continue to receive the Snapper Grouper and Controlled Access Committee reports
	1:30-5:30	Council Session - the council will review the recreational sale issue and receive the Executive and Finance Committee reports
Friday, June 14	8:30-11:00	Council Session - the council will review the NMFS logbook reporting system and receive agency and liaison and other reports.

• **The public is welcome to attend all SAFMC meetings.**

Other Meetings

These meetings will take place at the Town and Country Inn, 2008 Savannah Highway, Charleston, South Carolina 29407; telephone: (800) 334-6660 or (803) 571-1000.

**May 20, 1:30 p.m. - 5:30 p.m.
and**

May 21, 8:30 a.m. - 12:00 noon

The Snapper Grouper and Controlled Access Committees will meet with the Snapper Grouper Advisory Panel to review a videotape on the Oculina Bank Habitat Area of Particular Concern.

They will also review the draft options paper for Amendments 8 and 9 to the Snapper Grouper Fishery Management Plan, and develop advisory panel recommendations for options to be included for public hearing. The Controlled Access Committee will approve Amendment 9 for public hearing.

May 20, 7:00 p.m. to 10:00 p.m.

The Snapper Grouper and Controlled Access Committees will meet with the Snapper Grouper Advisory Panel and South Atlantic gag grouper fishermen to discuss gag grouper management.

**May 21, 1:30 p.m. - 5:30 p.m.
and**

May 22, 8:30 a.m. - 12:00 noon

The Snapper Grouper Committee will meet with the Snapper Grouper Advisory Panel, and the committee will approve Amendment 8 for public hearing.

May 22, 1:30 p.m. - 5:00 p.m.

The Executive and Finance Committees will meet jointly to develop recommendations for the Fiscal Year 1997 council activities schedule and develop the Fiscal Year 1997 budget. They will also review the balance of Fiscal Year 1996 activities.

The options paper for Amendment 8 to the Snapper Grouper Fishery Management Plan proposes measures to reduce fishing mortality other than the limited entry program proposed in options paper 9.

At the April meeting, the Snapper Grouper Advisory Panel met with the Snapper Grouper Committee to review the options in Amendment 8 and to recommend which of the options should be included in the public hearing document.

While advisory panel members recognized that some of the snapper grouper stocks are in bad shape, they were not sure if traditional management, such as trip and size limits and gear restrictions, would lead to recovery of these stocks.

General opinion was that such regulations, most implemented within the past three years, needed more time to impact the stocks. Advisory panel members also expressed the belief that limiting the number of participants would effectively control effort in the fishery, thus eliminating the need for other measures, as proposed in Amendment 8.

Management of the snapper grouper complex is difficult because the management unit consists of 23 different species, each with individual biological characteristics.

These species have been divided into three depths of fishing: shallow, mid-depth, and deep water. Data received from the National Marine Fisheries Service indicates that several of the shallow and mid-depth species are in serious trouble in terms of depletion.

One possible way to reduce fishing mortality on these species is to prohibit harvest in the mid-depth fishery for three months of the year to allow the stocks to recover. One issue the council must consider is that if effort in the fishery is increased either before or after the closure, it may not be effective. This is only one of several options included in the document.

The Snapper Grouper Committee and Advisory Panel will discuss these issues on Tuesday, May 21, from 1:30 p.m. to 5:30 p.m. and on Wednesday, May 22, from 8:30 a.m. to 12:00 noon.



Mid-Atlantic Council to Undertake Management of Weakfish

After the National Marine Fisheries Service's coast-wide moratorium on the harvest of weakfish was overruled in court in February, the Mid-Atlantic Council voted to follow up by developing a Weakfish Fishery Management Plan.

The Mid-Atlantic Council was designated by the Secretary to develop a plan, so three years ago they held public scoping meetings along the Atlantic coast.

The National Marine Fisheries Service suggested the council wait until the Atlantic States weakfish plan passed, promising to implement compatible federal regulations, but the moratorium failed in court and the weakfish stocks continued to decline.

The Mid-Atlantic Council had indicated they could not devote time to develop a Weakfish Fishery Management Plan due to other more pressing fishery management issues. The South Atlantic Council offered to develop a plan for weakfish, given the importance of the fishery in North Carolina.

After reviewing the South Atlantic Council's offer, the Mid-Atlantic Council concluded they could now develop a fishery management plan for weakfish due to their completion of work on other plans.

Weakfish are concentrated mainly between Delaware and North Carolina. The stocks have become severely depleted by both commercial harvest in federal waters and bycatch mortality from shrimp trawl fisheries.

The Mid-Atlantic Council will discuss this issue at their next council meeting.

Mackerel Stock Assessment Panel Meets; Council to set Quotas and Bag Limits in June

The most recent stock assessment for Atlantic king and Spanish mackerel has been completed and will present some challenges to the council.

For the 1996/97 stock assessment, the panel incorporated bycatch data as well as an unweighted spawning potential ratio (SPR) which affects the manner in which the allowable biological catch (ABC) ranges are calculated. Although both stocks are not considered overfished, Atlantic king mackerel will likely see a drop in total allowable catch (TAC) because of a more restrictive ABC range as a result of this most recent analysis.

This change in the analysis seems to parallel anecdotal information the council has been receiving from fishermen who maintained the stock was not in as good a shape as indicated from past stock assessments. The panels findings are as follows:

The 1996/97 ABC for Atlantic Migratory group king mackerel is 4.1-6.8 million pounds. Last year the ABC was 7.3-10.5 million pounds and the council set TAC at 7.3 million pounds.

The 1996/97 ABC for Atlantic migratory group Spanish mackerel is 5-7 million pounds. Last year the ABC was 4.9-14.7 million pounds and the council set TAC at 9.4 million pounds.

National Marine Fisheries Service Announces Final Comment Period for Rock Shrimp Amendment

A proposed rule to implement Amendment One to the Shrimp Fishery Management Plan in the South Atlantic was published in the Federal Register on April 23, 1996.

Comments on the proposed rule should be sent to Dr. Peter J. Eldridge at the Southeast Regional Office of the National Marine Fisheries Service no later than **June 7, 1996**.

The rule proposes to: (1) add rock shrimp to the management unit of the Shrimp Fishery Management Plan; (2) prohibit trawling for rock shrimp in an area off the east coast of Florida that includes the Oculina Bank habitat area of particular concern; (3) require dealers involved in the rock shrimp fishery to obtain an annual dealer permit; (4) require an annual vessel permit for a person on board a vessel to harvest or possess rock shrimp in or from federal waters; (5) require permitted dealers to maintain and submit basic information essential for proper management of the fishery; and (6) require that the initial sale, trade, barter, or transfer of rock shrimp harvested from federal waters occur only between permitted dealers and permitted vessels.

Comments should be mailed to:

**National Marine Fisheries Service
Southeast Regional Office
9721 Executive Center Drive North,
St. Petersburg, Florida 33702
ATTENTION: Peter J. Eldridge**

South Atlantic Regulations Brochures Now Available!

Regulations brochures for 1996 are now available from the council office. The brochures were recently updated to reflect changes in regulations. We apologize for the delay. If you've already called the council office to reserve your copies, please expect them in the next couple of weeks. If you have not yet requested copies, please contact the council office and let us know you would like to receive them. Phone: (803) 571-4366; Fax: (803) 769-4520; E-Mail: safmc@safmc.nmfs.gov.

NMFS ANNOUNCES FINAL COMMENT PERIOD FOR GOLDEN CRAB

A proposed rule to implement a Fishery Management Plan for the Golden Crab Fishery in South Atlantic federal waters was published in the Federal Register on April 11, 1996.

Comments on the proposed rule should be sent to Dr. Peter J. Eldridge at the Southeast Regional Office of the National Marine Fisheries Service no later than **May 28, 1996**.

The rule proposes to: (1) establish a controlled access program that would include initial eligibility criteria for vessel permits, restricted fishing zones, and procedures for appeals, transfers, and renewal of permits; (2) specify authorized gear for the fishery; (3) establish gear identification requirements; (4) specify maximum allowable trap sizes; (5) require escape gaps and a degradable panel on each trap; (6) establish minimum depth limits for use of traps; (7) prohibit tending of traps by unauthorized individuals; (8) modify the definition of the term 'crustacean trap' in the regulations governing the snapper grouper fishery to accommodate use of traps in the golden crab fishery; (9) prohibit the sale of female golden crabs and limit retention to not more than 0.5 percent, by number, of all golden crabs on board the vessel; (10) require that golden crabs be landed whole; (11) limit sale of golden crabs by permitted vessels to permitted golden crab dealers; (12) require that permitted golden crab dealers purchase golden crabs caught in federal waters only from permitted vessels; (13) prohibit possession of snapper grouper species in whole, gutted, or filleted form on board a vessel fishing for or possessing golden crabs; (14) establish permit and reporting requirements for fishermen and dealers; (15) require mandatory observer coverage if a vessel is selected; and (16) establish a framework procedure to allow timely implementation of management measures.

Comments should be mailed to:

**National Marine Fisheries Service
Southeast Regional Office
9721 Executive Center Drive, North
St. Petersburg, Florida 33702
ATTENTION: Peter J. Eldridge**



LAW ENFORCEMENT



The Southeast Enforcement Division of the National Marine Fisheries Service reported the following enforcement cases from South Atlantic federal waters between February 9 and March 5, 1996:

On 3/27/96, 5,005 pounds of 50-60 heads-on pink shrimp were seized from a vessel trawling one-half mile inside the Tortugas Shrimp Sanctuary. The vessel was spotted by Florida Marine Patrol aircraft and was escorted in. The shrimp was sold for \$5,005.

National Marine Fisheries Service agents made an Atlantic tuna case against a New Jersey operator found in possession of tuna fillets off Morehead City, NC. Ten plastic bags of tuna chunks were seized.

A North Carolina operator paid a \$2,000 summary settlement assessment for shrimping with modified TEDs.

In the matter of Rollie Bang, Jr.: Following a hearing, two consolidated cases alleging the violation of trip limit and closure provisions for the red snapper fishery were settled. The respondent agreed to forfeit \$17,825 in catch proceeds, and also pay a civil penalty of \$60,000, which will be suspended contingent upon his agreement to: (1) surrender all state and federal fisheries licenses and/or permits; (2) never apply for future state or federal commercial fishing licenses; (3) refrain from commercial fishing aboard any vessel upon the navigable waters of the United States; and (4) sell his two fishing vessels by 12/21/97, with any proceeds in excess of the priority mortgages relinquished to NOAA.

In the matter of Richard Bishop Fowler and Pasta & Pesca, Inc.: The respondents jointly and severely violated the Lacy Act by unlawfully taking fish in the Bahamian waters without a valid permit. They were ordered to pay a \$10,000 civil penalty.

In the matter of Mark F. Quartiano: This case involving the unlawful sale of sailfish to an undercover Florida Marine Patrol Officer was settled for \$6,600.

The Florida Keys Marine Sanctuary received several calls concerning a very large freighter transiting dangerously close to the reef line. The Panamanian freighter was intercepted at approximately one mile inside the restricted zone. USCG Group Key West was unable to conduct a boarding; however, a follow-up boarding was done upon the freighters arrival into port in New Orleans.

Council Adjusts Mackerel Trip Limits for Florida

At the April meeting, the council voted to modify the Atlantic migratory group king mackerel trip limits for certain parts of Florida. If approved by NMFS, the new trip limits will be:

Apr. 1-Oct. 31 - Brevard/Volusia to Dade/ Monroe - 500 pounds;

Apr. 1-Oct. 31 - Monroe County - 1,250 pounds.

The council had previously voted to ask NMFS to implement a total fish limit through the seasonal framework adjustment process, but decided to go with a total poundage limit instead.

Fishermen like a poundage limit better because it is more conservation-oriented in that it eliminates incentive for highgrading, and it is fairer since fish size varies depending on the area.



**Visit the South Atlantic Council's
Home Page at:**

<http://www.safmc.nmfs.gov>

Council to Consider Management of Recreationally-Caught Fish

Last year the South Atlantic Council held a series of scoping meetings from Key West to North Carolina to gather comments from fishermen relative to the issue of the sale of recreationally-caught fish. The council took final scoping comments concerning this controversial issue at the April meeting.

Currently under the management system, the council allows for the sale of fish taken in a legal bag limit either with the use of the federal permit or with a commercial state license. Many people think if you are a recreational fisherman, you should eat your catch, give it away or let it go. Many feel if you sell fish, you are a commercial fisherman and you should abide by laws which govern the commercial industry.

The following is a summary of some of the comments received at the last scoping meeting:

Pro-Sale

- This is an historical practice in the Florida Keys;
- On charterboats, customers usually leave fish as tip to the crew, who need the income supplement;
- Charterboat operators have to meet commercial licensing requirements;
- Due to bag limits, recreational fishermen do not significantly impact the stocks;
- If fish are in trouble, implement a seasonal closure, and enforce the bag limits;
- If recreational fishermen are prohibited from selling their catch, commercial fishermen [i.e. big business] will have a monopoly on the market.

The council will review all comments received during the year on this topic at the June meeting in Key West, and decide if regulations are needed. There are several options to consider at this point, including: (1) leave things as they are; (2) prohibit the sale of bag limit fish caught by recreational anglers in all fisheries, in some fisheries, or in some areas based upon what states allow.

If the council does go forward with any action relative to this issue, it would hold a series of public hearings, and would take 6 months to a year before any regulations were implemented. The public will have additional opportunity to provide comments.

Anti-Sale

- Charterboats do not sell their fish, they sell their customers' fish, allowing them to circumvent bag limits;
- Charterboat customers do not meet permit requirements;
- Recreational-caught fish affects prices at the fish markets;
- Recreational fishermen do not have the time, space, nor expertise to deliver safe, bacteria-free fish to the consumer;
- Recreational fishermen do not have to comply with sanitary and safety requirements as do commercial fishermen;
- Recreational activity should not support itself by sale;
- Prohibiting the sale would provide an additional way to limit participation in troubled fisheries.

The National Marine Fisheries Service Proposes to Ban all Soft TEDs in South Atlantic

In order to strengthen sea turtle conservation measures for this year's shrimping season, NMFS has proposed requirements to include only the use of top-opening hard turtle excluder devices (TEDs) in areas where high levels of shrimping effort and sea turtle abundance are expected. In addition, the new proposed regulations would establish Shrimp Fishery Sea Turtle Conservation Areas in the Gulf of Mexico and South Atlantic.

NMFS will hold three public hearings in the South Atlantic to collect public input on this issue. The schedule is as follows:

May 22, 1996, 7:00 p.m. Cooperative Extension Service, Agricultural Building/10 Referendum Drive/ Brunswick County Government Center/Bolivia, North Carolina;

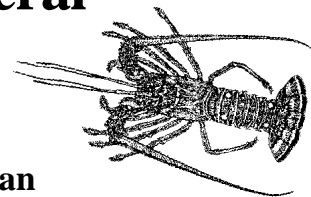
May 23, 1996, 6:30 p.m. South Carolina Marine Resources Institute Auditorium/217 Fort Johnson Road/ Charleston, South Carolina;

May 24, 1996, 6:30 p.m. University of Georgia Marine Extension Service Office/715 Bay Street/ Brunswick, Georgia.

If you are unable to attend the public hearings, **you may submit written comments by June 10** to: Chief, Endangered Species Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910.

For more information, please contact Charles Oravetz, National Marine Fisheries Service, Southeast Region, Protected Species Branch; (813) 570-5312.

NMFS Proposes to Withdraw Federal Spiny Lobster Management



Council Opposes Removal of Fishery Management Plan

Citing reasons of better efficiency of marine fisheries management, the National Marine Fisheries Service proposed to eliminate six federal fishery management plans, including the South Atlantic and Gulf of Mexico Spiny Lobster Plan.

NMFS hopes to streamline regulations to reduce duplication and minimize costs.

"Our review at this time indicates removal of this fishery management plan will not weaken protection of our fishery resource," said Rolland Schmitten, director of the fisheries service. "The state of Florida has been a leader in managing the spiny lobster fishery."

NMFS officials believe the state of Florida's regulations for spiny lobster are adequate to protect and manage the resource, but the South Atlantic Council disagrees.

In a letter to Schmitten, Council Chairman, David Cupka writes, "Overall we disagree with the proposal to repeal the Spiny Lobster FMP. The benefits do not

outweigh the costs. Repealing the FMP is not consistent with the NMFS' Risk Averse Policy and is not in the best interest of the spiny lobster resource, spiny lobster commercial and recreational fishermen, consumers and the nation."

There were several justifications for the original plan, which has been in effect since 1982, including the harvest of illegal lobsters in the EEZ and the transport of illegal lobsters from Florida to Georgia, which decrease potential yield and spawning potential.

The South Atlantic Council questions the authority of the Secretary of Commerce to unilaterally remove a fishery management plan, and will ask for emergency action to prevent illegal harvesting in federal waters if the plan is repealed.

The deadline for comments was May 9, and NMFS received about 20 letters from South Atlantic states, fishing organizations, and the council, all opposed to the repeal.



NMFS to Implement High Seas Fishing Permit

The Commerce Department recently announced implementation of a new high seas fishing permit, effective March 19, 1996.

Now all United States vessels fishing outside the 200 mile federal zone will be required to obtain a permit and comply with all international conservation and management measures recognized by the United States.

The High Seas Fishing Compliance Act of 1995 was adopted in response to fisheries crises that have arisen in many areas of the world.

As the size and efficiency of modern fleets have come to exceed the productivity of traditional coastal harvesting areas, fishery managers of coastal nations generally have reacted by imposing stricter management regimes. As a result, increasing numbers of vessels have sought fishing opportunities on the high seas, where regional organizations have tried to impose management measures.

By implementing this act, the United States is one of the first fishing nations to carry out the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, adopted by the United Nations' Food and Agriculture Organization in 1993.

Applications for permits are being accepted by the National Marine Fisheries Service regional offices (The Southeast regional office phone number is 813-570-5326). For more information, contact the NMFS public affairs office at 301-713-2370.

Please contact the following state agencies for regulations up to three miles offshore (state waters) in the South Atlantic:

Florida Marine Fisheries Commission
2540 Executive Center Circle West, Suite 106
Tallahassee, FL 32301
(904) 487-0554

Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way
Brunswick, GA 31523-8600
(912) 264-7218

North Carolina Division of Marine Fisheries
P.O. Box 769
Morehead City, NC 28557
(919) 726-7021

South Carolina Department of Natural Resources
Marine Resources Division
P.O. Box 12559
Charleston, SC 29412
(803) 795-6350

The South Atlantic Council, one of eight U.S. regional fishery management councils, establishes conservation measures to ensure the viability of marine resources in federal waters (from three to two hundred nautical miles) off the coasts of North Carolina, South Carolina, Georgia and east Florida. Fishery Management Plans prepared by the council are designed to produce optimum yield, while preventing overfishing of our valuable resources. Council staff is available to answer questions during business hours by telephone at (803) 571-4366; by FAX at (803) 769-4520; or by E-Mail at safmc@safmc.nmfs.gov.

Editor's Note

The South Atlantic Update is published by the South Atlantic Fishery Management Council. Its purpose is to report developments in fisheries management that would be of interest to its readers. Please credit the council when reprinting articles used in this newsletter. Anyone wishing to submit information or articles pertaining to fishing or fisheries management, or letters to the editor on a pertinent issue, is invited and encouraged to do so. Submissions may be mailed to Susan Buchanan, Editor, South Atlantic Update, One Southpark Circle, Suite 306, Charleston, SC 29407-4699, or may be sent via the internet; Email address: Susan_Buchanan@safmc.nmfs.gov



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State Department, Customs Implement U.S. Shrimp Embargo to Protect Endangered Sea Turtles

As of May 1, 1996, shrimp may only be imported to the United States from countries which have implemented sea turtle protection programs in commercial shrimping operations.

These programs must be comparable to the U.S. sea turtle protection program, which requires the use of turtle excluder devices (TEDs), an opening in the net to reduce the incidental catch and mortality of sea turtles, in shrimp trawls.

The history of the shrimp import ban dates back a few years. The Congressional Appropriations Act of 1990, Section 609, states that the Secretary of Commerce shall initiate negotiations as soon as possible with all foreign governments in, or which have persons engaged in commercial fishing operations which may adversely affect sea turtles.

According to Hollis Summers of the State Department, the Justice Department interpreted the Congressional Act to target only the Caribbean nations importing shrimp to the U.S., as they are the most direct competitors of U.S. shrimping fleets. These nations have implemented turtle protection programs.

In December, 1995, several environmental organizations, including the American SPCA, the Humane Society, the Sierra Club and the Earth Island Institute, teamed up to win a lawsuit claiming that by passing Section 609, Congressional intent was to target all shrimping nations in the world, not just those in the Caribbean.